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\*\*REGISTERED PATENT AGENT

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MCRVT-023C

**FACSIMILE COVER SHEET**

Date: November 5, 2002

To: **Commissioner for Patents**  
**Washington, D.C.**

Facsimile: 703-305-3590

Re: U.S. Patent Application No. 09/758,832

Applicant: Horton

Title: Insitu Formable and Self-forming Intravascular Flow Modifier (IFM), Catheter  
and IFM Assembly, and Method for Deployment of Same

From: Robert D. Buyan

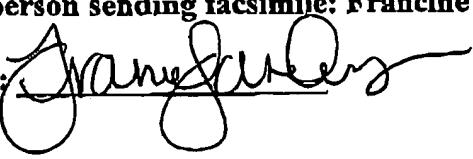
**Total Number of Pages:** 10 (including this form). Please notify us immediately if you have not  
received all pages.

**Message:**

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence for Serial No. 09/758,832 is being facsimile  
transmitted to the Commissioner for Patents at (703) 305-3590 on November 5, 2002.

Name of person sending facsimile: Francine Sanders, Assistant to Robert D. Buyan

Signature: 

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Horton, et al. )  
Application No. 09/758,832 ) Art Unit: 3731  
Filed: January 11, 2001 ) Examiner: Thaler, M.  
For: Insitu Formable and Self-Forming )  
Intravascular Flow Modifier (IFM) and )  
IFM Assembly, for Deployment of Same )

Commissioner for Patents  
Washington, D.C. 20231

**Transmittal Letter**

Dear Sir:

- In accordance with Rule 136, the Commissioner is hereby petitioned for a \_\_\_\_\_ month extension of time, extending to \_\_\_\_\_ the period for response to the Office action dated **October 8, 2002** Check No. \_\_\_\_\_ for \$ 0.00 is enclosed.
- Enclosed is a certified copy of Serial No. \_\_\_\_\_ from which priority is claimed in the subject case pursuant to 37 CFR § 1.55b and 35 U.S.C. § 119.
- Enclosed is an Assignment of the invention to [Assignee], including a cover sheet and Check No. [Assignment Check No.] for \$40.
- A Declaration of Inventorship and Limited Power of Attorney is enclosed.
- A Certificate of Ownership and Power of Attorney is enclosed.
- An information disclosure statement is enclosed.
- Enclosed herewith is an Amendment/response to Office Action for filing in relation to the above-identified application. Entry and consideration of this amendment are requested.

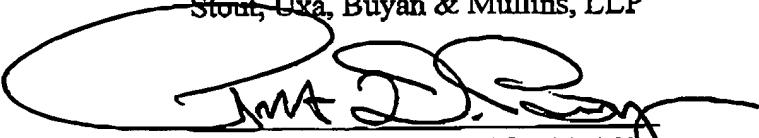
Check No. [Check No.] is enclosed covering the additional filing fees in the amount of \$, with the fees calculated as follows:

(Col. 1) Claims Remaining After Amendment	(Col. 2) Highest No. Previously Paid For	(Col. 3) Present Extra	Small Entity Additional Rate Fee	Other than a Small Entity Additional Rate Fee
Total claims	25	- 30 = 0	x 9 \$	Or x 18 \$
Independent claims	4	- 4 = 0	x 42 \$	Or x 84 \$
First presentation of multiple dependent claims			+ 140 \$	Or + 280 \$
			Total \$ -0-	Or Total \$

The Commissioner is hereby authorized to charge any underpayment and credit any overpayment of the filing fees required under 37 CFR § 1.16 and any patent application processing fees required under 37 CFR 1.17 to Deposit Account No. 50-0878. A duplicate copy of this sheet is enclosed.

Respectfully submitted,  
Stout, Uxa, Buyan & Mullins, LLP

Date: November 5, 2002

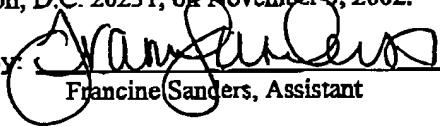
  
Robert D. Buyan, Reg. No. 32,460

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email: [rbuyan@patlawyers.com](mailto:rbuyan@patlawyers.com)

#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being transmitted via facsimile to (703) 305-3590 addressed to Commissioner for Patents, Washington, D.C. 20231, on November 5, 2002.

Dated: November 5, 2002

By:   
Francine Sanders, Assistant

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Horton ) Art Unit: 3731  
)  
Application No.: 09/758,832 ) Examiner: Thaler, M.  
)  
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For: INSITU FORMABLE AND )  
SELF-FORMING INTRAVASCULAR )  
FLOW MODIFIER (IFM), CATHETER )  
AND IFM ASSEMBLY, AND )  
METHOD FOR DEPLOYMENT OF )  
SAME )

Hon. Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO FINAL OFFICE ACTION PURSUANT TO 37 CFR § 1.111**

Dear Sir:

Responsive to the final Office Action dated October 8, 2002, please amend the application as follows.

**In the Claims:**

Please cancel Claims 102-103, 105-109, 119-120, 122-125 and 127-130, without prejudice.

Please amend Claims and 110, 112-113, 115-116 and 118 as shown herebelow in clean format and as shown in marked-up format in Appendix A: